



2872

Attorney Docket No.: 21295/23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Johann Engelhardt, Jorg Bewersdorf, Hilmar Gugel and
Juergen Hoffmann

EXAMINER: Thong Q. Nguyen GROUP: 2872

SERIAL NO.: 09/826,712 CONFIRMATION NO: 3955

FILED: April 5, 2001

FOR: *Double Confocal Scanning Microscope*

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service, on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

By:

Deborah Celeste

Date

October 18, 2002

Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Sir:

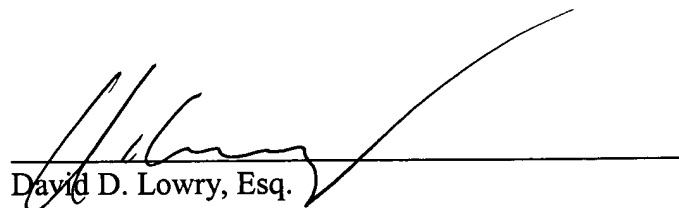
In response to the Notice of Non-Compliant Amendment (37 CFR 1.21) (a copy of which is enclosed), dated September 18, 2002, Applicant encloses a substitute Amendment with a marked-up version of the replacement paragraph(s) included pursuant to 37 CFR 1.21(b)(1)(iii) and a substitute specification.



09/826,712

Please charge any fees that may be due for this response to deposit account number
500369.

Respectfully submitted,



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Dated: 10/18/02

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,712	04/05/2001	Johann Engelhardt	21295/100	3955

21710 7590 09/18/2002

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EXAMINER

NGUYEN, THONG Q

ART UNIT PAPER NUMBER

2872

DATE MAILED: 09/18/2002

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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DATE MAILED:

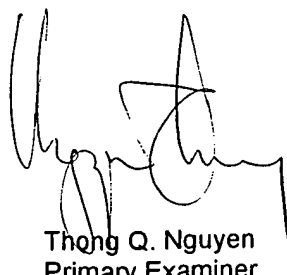
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Commissioner of Patents and Trademarks

The amendment filed on July 8, 2002 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121(b)(1)(iii), as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply a MARKED-UP VERSION OF THE REPLACEMENT PARAGRAPH(S)/SECTION(S) OF THE SPECIFICATION.

Since the above-mentioned reply appears to be bona-fide, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction noted above to avoid abandonment. EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


Thong Q. Nguyen
Primary Examiner
Art Unit: 2872